

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

9	DENNIS TOMOSON,)	No. 05-CV-0112-MWL
10	Plaintiff,)	
11	v.)	ORDER DENYING PLAINTIFF'S
12)	MOTION FOR RECONSIDERATION
13	RICHARD MORGAN, ELDON VAIL,)	AS MOOT
14	ANNE ADAMS, MARGE LITTRELL, and)	
	ROBERT PIVER,)	(Ct. Rec. 45)
	Defendants.)	

Before the court is Plaintiff's October 20, 2005 Motion for Reconsideration. (Ct. Rec. 45). Plaintiff asserts in his latest motion that the undersigned judicial officer denied his August 24, 2005 Motion for Reconsideration (Ct. Rec. 24) without considering his timely filed reply brief (Ct. Rec. 42). However, as noted by the Court in its October 18, 2005 Supplemental Order (Ct. Rec. 44), the Court did not receive a copy of Plaintiff's reply until after its filing of the Court's October 12, 2005 Order Denying Plaintiff's August 24, 2005 Motion for Reconsideration (Ct. Rec. 43). Nevertheless, the Court indicated in its Supplemental Order (Ct. Rec. 44) that it subsequently reviewed and considered

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1 Plaintiff's Reply (Ct. Rec. 42) and found nothing in the Reply to
2 change the opinion reflected in its October 12, 2005 Order Denying
3 Plaintiff's August 24, 2005 Motion for Reconsideration (Ct. Rec.
4 43).

5 Accordingly,

6 **IT IS ORDERED** that Plaintiff's October 20, 2005 Motion for
7 Reconsideration (Ct. Rec. 45) is **DENIED** as MOOT.

8 The District Court Executive shall file this Order and provide
9 a copy to Plaintiff and counsel for Defendants.

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11 DATED this 25th day of October 2005.

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13 S/ Michael W. Leavitt
14 MICHAEL W. LEAVITT
15 UNITED STATE MAGISTRATE JUDGE
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